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Title: ‘Beyond the Antitheatrical Prejudice: Political Oratory and the Performance of Legitimacy’

Abstract:

It is frequently debated whether politicians should be good public performers or whether voters should focus less on presentation and more on the substance of policy proposals. However, missing from these debates, in both theatre studies and political science, is a detailed theorization of the role played by politicians’ public performances in representative democracy. This article responds by excavating representative democracy’s performative core. Taking a historico-theoretical approach that draws on Paul Friedland’s study of theatrical and political representation during the French Revolution as well as performance theory and political theory, I argue for the performativity of democratic legitimacy and its dependence on the interplay of politicians’ public performances and their audiences’ suspension of disbelief. Through its exploration of how performance contributes to the functioning, not merely the embellishment, of representative politics the article draws novel interdisciplinary connections between performance scholarship and political science.

Different figurations of performed legitimacy are explored through a focus on shifting patterns of the performance of the US presidency. The article traces the journey away from an early model based on Thomas Jefferson’s first inaugural address, which cast the president as the chief explicator of the Constitution, to twenty and twenty-first century styles of presidential performance, which tend to emphasize the president’s independence from other political institutions. What I want to open up in this analysis is the possibility of a link between performed legitimacy and a broadly populist discourse, thereby offering a provocation on how historically rooted practices might still influence current oratorical and performative styles in the United States.

Keywords:

Legitimacy, performativity, political oratory, representative democracy, US presidency

The question of a politician's skill as a performer is frequently debated in terms both positive and negative. Some politicians, such as Ronald Reagan, Bill Clinton, and Barack Obama have been lauded as naturally gifted orators. Others, Hillary Clinton or John McCain, for instance, are either maligned for their lacklustre acting ability, or, conversely, it is asserted that politicians should not have to be good performers in the first place. Bill Clinton's longtime nickname 'slick willie', for instance, implies, among other things, a duplicitous ability to weasel himself out of any disadvantageous situation and thus casts Clinton's virtuosic improvisation skills as a negative. The flipside of this argument is contained in David Foster Wallace's essay on John McCain's 2000 presidential campaign, wherein the novelist details how McCain's obvious discomfort with prepared speeches actually inclined him to trust McCain more.¹ This article is concerned with that suspicion of acting and performance in the political realm, and especially with the closely related argument that an emphasis on performance and theatricality is detrimental to institutional politics. The first section examines relevant scholarship on the interplay between performance and politics, arguing that this scholarship has thus far either insufficiently theorized the performative nature of representative democracy or tended to dismiss a focus on politicians' performances in the public sphere as an antipolitical distraction from the more purely rational and deliberative business of representative politics. The question of what function is fulfilled by politicians' performances in representative democracy, whether these are truly mere distraction and ornamentation or whether the system relies on them to play a more vital role, is thus left open.

This article will make the case that the system of representative democracy relies for its legitimacy on the ability of politicians to give performances and on their voter-audiences' ability to suspend disbelief in the 'reality' of politicians' performed public personae. In

¹ David Foster Wallace, 'Up, Simba: Seven Days on the Trail of an Anticandidate,' in *Consider the Lobster and Other Essays* (New York: Little, Brown, 2006), pp. 156-234.

particular, I will build on Paul Friedland's historical study² of concerns around performance and politics that arose around the transition from an estate-based representative model to the system of representative democracy during the French Revolution. My aim here is to develop a new, more rigorously theorized and historicized, understanding of the performativity of representative politics. Drawing on Friedland's historical insights, as well as arguments about the performative nature of political representation put forth by political theorists such as Michael Saward, Bernard Manin and Benjamin Moffitt, this article suggests that politicians' public performances are functionally important in representative democracy.

The second section uses a historico-theoretical approach to argue that representative democracies are performative political systems, the legitimacy of whose political representatives depends on the system's performance-based core, which is not reducible to today's mediatized politics. In making this argument, this article is concerned with expanding the scope within which the link between performance and politics is seen as relevant. While politics scholars Bernard Manin³ and Benjamin Moffitt⁴ contend that the increased focus on politicians' performances in today's heavily mediatized politics has significant ramifications for the study of contemporary politics, this article goes beyond such observations about mediatized performances in the contemporary moment. It establishes a broader basis for understanding the significance of politicians' performances in the functioning of the system of representative democracy. Although the performative nature of institutional politics has in recent years increasingly been recognized by leading scholars in both politics and performance

² Paul Andrew Friedland, *Representation and Revolution: The Theatricality of Politics and the Politics of Theatre in France, 1789-1794* (Ann Arbor: University Microfilms, 1995).

³ Bernard Manin, *The Principles of Representative Government* (Cambridge: Cambridge UP, 1997).

⁴ Benjamin Moffitt, *The Global Rise of Populism: Performance, Political Style, and Representation* (Stanford: Stanford UP, 2016).

studies,⁵ this article thus aims to provide a unique theorization of the performative link between oratory and democratic legitimacy.

In the final section, I apply this thinking to the specific case of US presidential oratory, to which the examples of politician-performers given above have alluded. Taking into account Jeffrey Tulis' seminal study *The Rhetorical Presidency*⁶ as well as foundational documents from US history such as *The Federalist Papers*⁷ and Thomas Jefferson's first inaugural address from 1801,⁸ I argue that early injunctions against popular addresses given by presidents should not automatically be labelled as just another instance of the antitheatrical prejudice in action. Instead, I posit that the constraints the Founding Fathers put on presidential oratory show their awareness of the power of performance in the representative system they had established. The first inaugural address of Woodrow Wilson will be analysed as a key turning point that steered presidential oratory away from the initial pattern the founders had instituted. Seen in light of the contrast between Jeffersonian and Wilsonian rhetoric, the desire to curb presidential performances before the public appears to be less indicative of the view that performance is a distraction antithetical to the logic underlying the serious business of politics. Rather, the historical development towards a broadly populist anti-government or anti-Congress rhetoric (as exemplified by Wilson) shows that early norms prohibiting certain kinds of public performance at the highest level of politics were taking seriously the power of presidents' performances to influence and mould the perception of democratic legitimacy.

⁵ See Shirin Rai and Janelle Reinelt, Introduction to *The Grammar of Politics and Performance*, ed. by Rai and Reinelt (Abingdon: Routledge, 2015), pp. 1-18.

⁶ Jeffrey K. Tulis, *The Rhetorical Presidency* (Princeton: Princeton UP, 1987).

⁷ Alexander Hamilton, et al., *The Federalist Papers*, ed. by Clinton Rossiter, introduction and notes by Charles R. Kessler (New York: Signet Classics, 2003).

⁸ Thomas Jefferson, 'First Inaugural Address', *The Avalon Project at Yale Law School* <http://avalon.law.yale.edu/19th_century/jefinaul.asp> [accessed 15 January 2018].

Performance and Theatricality in the Political Realm

Following the 2016 presidential campaign, some of Hillary Clinton's supporters claimed that most people were unable to see the true, much more likeable and less aloof Hillary Clinton because she was obscured by her own public awkwardness and fraught relationship with the media. Rebecca Traister's *New York Magazine* article 'Hillary Clinton Vs. Herself'⁹ and the film *Michael Moore in Trumpland*¹⁰ both explicitly make this point, positing that Clinton is more gregarious and sociable in person and that she would have made a more progressive, more hands-on and altogether better president than the guarded public self she exhibited during the campaign had led many people to believe. More implicitly, the argument put forth by the likes of Traister and Moore is that audiences are too easily led by charming and skilled public performers and miss out on political leaders whose strengths are less showy but more valuable. A useful corrective, such commentators seem to posit, would be for these audiences to look beyond politicians' public performances and focus more on the policy positions they hold.

From a theatre and performance studies perspective, one way to read such arguments is as instances where commentators, frustrated with today's heavily mediatized and personalized politics, default to the anti-theatrical prejudice, which, as Jonas Barish's landmark study¹¹ has persuasively shown, has been ubiquitous in Western culture since Plato's *Republic*.¹² By positing politicians' performances as inherently false and manipulative, and by pitting them against an imagined pure and genuine reality that is free from the mask of performance, commentators rehearse an often unconsidered assumption that equates theatre

⁹ Rebecca Traister, 'Hillary Clinton Vs. Herself', *New York Magazine* (30 May 2016) <<http://nymag.com/daily/intelligencer/2016/05/hillary-clinton-candidacy.html>> [accessed 15 January 2018].

¹⁰ *Michael Moore in Trumpland*, written and dir. by Michael Moore (USA: Dog Eat Dog Films and IGM Films, 2016).

¹¹ Jonas Barish, *The Antitheatrical Prejudice* (Berkeley: U of California Press, 1981).

¹² Plato, *Republic*, ed. and trans. Robin Waterfield (Oxford: Oxford World Classics, 1998).

and performance ‘with some kind of rhetorical emptiness’ as well as ‘inauthenticity’ and ‘artificiality’.¹³

Despite such objections to the influence of performance on politics, however, the imperative for politicians to give public performances, especially when campaigning for election, is unlikely to dissipate in our media-saturated age. Moreover, politicians have to be seen to perform as themselves, rather than performing fictional characters, and to address a variety of different audiences. Their performances must therefore accomplish two distinct tasks: politicians simultaneously have to move crowds of people, in effect doing an actor’s job, and convince these crowds that they really *are* the public personae they perform – a far thornier proposition in a culture that has historically connoted theatre and performance with artifice and inauthenticity. The problem is therefore often seen to lie in the perception of a ‘mimetic gap’ between the persona performed and the performing politician.¹⁴ Recognizing the dilemma posed by the requirement to perform publicly and the contradictory tendency to dismiss performance as artificial, scholars of politics and performance have concluded that antitheatrical judgements abound in politics.¹⁵ In effect, these scholars are applying to institutional politics Erika Fischer-Lichte’s contention that some performance settings require staging strategies that are only effective if what has been staged *appears* not to have been staged at all.¹⁶ What remains unexplored and undertheorized, however, is why the delicate interplay between performance and public trust, and the always-looming threat of public disbelief, matter in politics. In other words, beyond casting politicians as disingenuous poseurs,

¹³ Sophie Nield, ‘Speeches that Draw Tears: Theatricality, Commemoration and Social History’, *Social History* 39.4 (2014), 547-556 (p. 549).

¹⁴ Maaïke Bleeker, ‘Being Angela Merkel’, in *The Rhetoric of Sincerity*, ed. by Ernst van Alphen, et al. (Stanford: Stanford UP, 2008), pp. 247-262 (p. 253).

¹⁵ See: Maggie Inchley, *Voice and New Writing, 1997-2007: Articulating the Demos* (Basingstoke: Palgrave Macmillan, 2015), p. 14; Laura Levin and Barry Freeman, ‘Performing Politicians: A CTR Wrecking Ball’, *Canadian Theatre Review* 166 (2016), 5-9 (p. 6).

¹⁶ Erika Fischer-Lichte, ‘Inszenierung und Theatralität’, in *Inszenierungsgesellschaft: Ein einführendes Handbuch*, ed. by Herbert Willems and Martin Jurga (Opladen: Westdeutscher Verlag, 1998), pp. 81-90 (p. 87).

how does the reception of politicians' performances affect the way the system of representative democracy functions?

To some political scientists, performance only functions as an antipolitical corruption within politics. This view entails a sharpening of the argument against the supposedly excessive degree to which politicians' performances are able to influence voters beyond the metaphorical equation of performance with falsity. Rather than rehearsing the antitheatrical prejudice by equating performance with artifice, Andreas Schedler, for instance, argues that an emphasis on politicians' performances is pernicious because the logic of performance and theatricality is antithetical to the logic of politics. In Schedler's definition politics is determined by its 'communicative rationality' and political logic is defined as rational deliberation in language-based arguments.¹⁷ This definitional tie of politics to rational argument-building allows Schedler to identify a number of antipolitical logics. Among these he lists *aesthetic antipolitics*, which is defined as 'the intrusion and foreign occupation [of the political realm] by the logic of theatre and drama, rock and roll, sports and entertainment, design and advertising, the fine arts, television, religious confession, psychotherapy and intimacy'.¹⁸

While one may object that Schedler's long list of aesthetic antipolitical logics threatens to overwhelm his meaning, he is quite clear that in the consequences he envisions aesthetic antipolitics brings about the corruption of a more pure, deliberative, rational – and, hence, *political* – discourse above all through the privileging of performance and theatricality. Schedler claims that aesthetic antipolitics 'downgrades political deliberation and decision making to mere acts of backstage performance and as a countermove pushes theatrical forms of action to the centre stage of politics', so that what prevails are 'the expressive codes of short-distance relations over the moral codes of the public sphere' and 'the credible expression of

¹⁷ Andreas Schedler, 'Introduction: Antipolitics – Closing and Colonizing the Public Sphere', In *The End of Politics? Explorations into Modern Antipolitics*, ed. by Andreas Schedler (Basingstoke: Macmillan, 1997), pp. 1-20 (p. 12).

¹⁸ Ibid, p. 13.

emotion over the plausible lining up of arguments'.¹⁹ Aesthetic expressivity – and specifically the aesthetics of theatre and performance – is thus thought of here not merely as responsible for what is perceived as an irritatingly superficial focus within contemporary political discourse, but as by definition incompatible with the logic of politics. Any function performance might play within politics is therefore dismissed as purely negative and corrupting; performance and theatricality might be ever-present, but only as detractors from and contaminants within what would otherwise be a more wholesomely deliberative political realm.

Rather than following the Rancièrian argument that aesthetics is inherently political,²⁰ I want to counter Schedler's argumentation by making the case for why the system of representative democracy is, at its core, both performance-based and performative. I object to Schedler's point that performance and theatricality, and an attendant emphasis on emotional expressivity, are necessarily antipolitical and destructive to institutional politics. In what remains of this article I argue, to the contrary, that performance – and politicians' public performances in particular – fulfil a central and irreplaceable function within the system of representative democracy. The following sections will first theorize the performative core of representative democracy, paying particular attention to how politicians' performances connect to the perception of democratic legitimacy. Then I explore the implications of the link between oratory, audiences, and legitimacy by focusing on the changing patterns of performance in the case of the US presidency.

¹⁹ Ibid, p. 13-14.

²⁰ Jacques Rancière, *The Politics of Aesthetics: The Distribution of the Sensible*, ed. and trans. by Gabriel Rockhill (London: Bloomsbury, 2013).

The Performative Core of Representative Democracy

This section aims to illuminate why the system of representative democracy is intimately tied to theatricality and performance in ways that were not applicable to earlier understandings of representation. My point is that politicians' performances, their consciously considered and stage-managed appearances and self-presentations in the public sphere, fulfil a specific function within representative democracy and should not be regarded either as a superficial ornament or an antipolitical contaminant. To make this point, I draw on historical and theoretical insights into political representation: Paul Friedland's historical focus on the transition to representative democracy sheds light on concerns about the system that were raised during and just after the French Revolution. Michael Saward's theorization of the performativity of political representation, on the other hand, tends towards ahistorical abstraction. This section argues that, by synthesizing these two types of sources, a case for the broad applicability of the link between politics and performance can be made. Its goal is, therefore, to give insight into the performance-based and performative core of systems of representative democracy.

Before the middle of the eighteenth century, political representation was understood to be a fairly straightforward, literal concept. Paul Friedland meticulously details the contrast between the nature of political representation in representative democracy as it arose in the wake of the French Revolution and the earlier, estate-based form of representation that it supplanted. Prior to the Revolution, Friedland argues, political representation was conceived of literally insofar as it was seen to entail 'a metamorphosis of the body of the representative into the body of the represented', in a material and concrete way that resembled the Catholic

doctrine of transubstantiation.²¹ Friedland thus expands Ernst Kantorowicz's seminal insights²² into the connection between theology and political theory from monarchical to democratic political representation.²³ In the course of the second half of the eighteenth century, however, and particularly with the establishment of the National Assembly as a representative body following the Revolution, a shift in the concept took hold that saw representation taking on a symbolic rather than literal meaning.

Before the conceptual shift, and by those who were eager to preserve this idea of representation in the wake of the Revolution, 'the political representation performed by the Estates General', which represented the clergy, the nobility and the common people, 'was based upon the literal perception of France as a living organism'.²⁴ Early modern commentators such as the legal scholars Guy Coquille and Charles Loyseau thus described the composition of France variously as a 'body with several heads' or as a body where 'the King is the head and the people of the three orders are members', but always as a symbiotic arrangement, in which 'each political body depended on the others for verification of its legitimacy'.²⁵ Crucially, in this pre-modern context, public spectacles such as royal processions were 'not primarily intended to manufacture symbols for the benefit of others; these spectacles were first and foremost about the metamorphosis of political actors';²⁶ in other words, spectacles did not primarily address audiences of spectators, but produced meaning for their immediate participants.

In contrast to the pre-modern literal and organismic conception, the newly established representative body, the National Assembly, was no longer seen to literally re-present (in terms

²¹ Friedland, *Representation and Revolution*, p. 61, p. 105.

²² Ernst Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton: Princeton UP, 1957).

²³ Friedland, *Representation and Revolution*, p. 62.

²⁴ *Ibid.*, p. 102.

²⁵ *Ibid.*, p. 103, p. 107, p. 114.

²⁶ Paul Andrew Friedland, *Political Actors: Representative Bodies and Theatricality in the Age of the French Revolution* (Ithaca: Cornell UP 2002), p. 41.

of manifesting the essential component parts of) the social body. Instead, the National Assembly was based upon a conception of representation that Friedland describes as ‘analogic and aggregate’, in that it conceived of the social body ‘as the sum of individuals within the nation’, which could be represented by a body that, as an abstracted aggregate entity ‘bore a certain *resemblance* to an organism’.²⁷ Theorists of the Revolution, such as the Count of Mirabeau and the Abbé Sieyès argued that an assembly composed of members only from the Third Estate (i.e., the common people), which made up ninety-six per cent of the population, was positioned to adequately represent the nation, because, in Sieyès’ words, the resemblance was ‘*good enough* for them to confer upon themselves the title of national Assembly’ and thus stand as an abstraction of the nation as a whole.²⁸

The consequence of the conceptual shift from a literal to a more abstracted view of representation was that legitimacy became less straightforward and more debatable, as it now ‘depended upon the willingness of political spectators to find the performance of its representatives *vraisemblable*’, i.e., convincing and sufficiently true-seeming.²⁹ By adopting this new, symbolic meaning, representation had become abstract rather than physical and demanded a level of trust rather than being seen to provide concrete, tangible evidence in itself. Political representatives who made up the National Assembly thus had to be trusted to give voice to those they represented. In Friedland’s view, this was so because, having been ‘formed by abstraction’, the new representative body ‘could base its legitimacy only on a tautology’, so that it was legitimate because, and as long as, it was seen to be legitimate.³⁰ Having moved away from their inward, and quasi-magically transformative, character, public spectacles and politicians’ performances had thus turned decidedly towards the address of political audiences. According to Friedland, this new configuration required the audience’s ‘suspension of

²⁷ Friedland, *Representation and Revolution*, p. 124.

²⁸ *Ibid.*, p. 128, original emphasis.

²⁹ *Ibid.*, p. 63.

³⁰ *Ibid.*, p. 131.

disbelief', taken here to imply that 'no boundaries [were drawn] between political and theatrical representation' following the French Revolution.³¹ Like Friedland, this article uses the term in recognition of the fact that an audience's willingness to buy into a politician's performance is similar to, though – since real-world consequences are at stake – frequently perceived as more fraught than, the suspension of disbelief when seeing a fictional text performed.

As mentioned above, this section is intended to illuminate why representative democracy as a system is both performative and performance-based, clarifying in particular the role of politicians' public performances in establishing and maintaining legitimacy. Some of this connection between representative politics and performance is contained in Friedland's description of legitimacy-through-tautology. Since he is concerned with historical specificity rather than theoretical thrust, however, Friedland eschews any analysis of this new system of political representation through theories of performativity. However, by delving into the theoretical ramifications of the concerns raised by the establishment of the new representative system, I intend to show that representative democracy's performative nature is precisely what is captured in the description of legitimacy-through-tautology.

To make this connection, it is necessary to take into account the theorization of political representation as performative. In political science, the incorporation of ideas of performativity into the study of political representation forms part of a 'constructivist turn', which explores the relevance of ideas of performativity as developed by J. L. Austin,³² Jacques Derrida³³ and Judith Butler³⁴ to the study of political structures and institutions and champions the interdisciplinary engagement between political science and performance studies scholarship. Within this turn towards performativity, Michael Saward has influentially argued that political

³¹ Ibid, p. 9.

³² J. L. Austin, *How to Do Things With Words: The William James Lectures Delivered at Harvard University in 1955* (Oxford: Oxford UP, 1962).

³³ Derrida, Jacques, 'Signature Event Context, ' in *Limited Inc.*, ed. by Gerald Graff (Evanston, IL: Northwestern UP, 1988), pp. 1-23.

³⁴ Judith Butler, *Excitable Speech: A Politics of the Performative* (New York: Routledge, 1997).

representation should be understood as the creative, performative, and aesthetic process of making representative claims. According to Saward, politicians, or other claim-makers, give performances (e.g., speeches), which interpellate their audiences by presenting them as a more or less homogenous body of people sharing certain features. Having assigned certain characteristics to their audiences, representative claim-makers then ‘argue or imply that they are the best representatives of the constituency *so understood*’,³⁵ thereby constituting themselves as the ideal representatives of a particular constituent-audience. As in Friedland’s contention that, in abstract representation, it is ultimately the spectators’ suspension of disbelief that turns a politician into a representative, the audience at the receiving end of Saward’s representative claim may either accept or reject the claim, in effect rendering it felicitous or infelicitous.

For my purposes it is significant that Saward envisions legitimacy not as a formal kind of authorization, but as depending on the acceptance of a politician’s performed representative claim by relevant political audiences. Saward argues that legitimacy is best thought of in terms of ‘*provisionally acceptable claims to democratic legitimacy across society ... for which there is evidence of sufficient acceptance of claims by appropriate constituencies under reasonable conditions of judgment*’.³⁶ Emphasis is thus placed on both the performance and its reception, as both are important in establishing a relationship between politician and constituent. ‘Sufficient acceptance’ might be thought of as a fuzzy, imprecise measure in a similar way to how, in Friedland’s terms, the goal of a politician’s performance is to achieve the status of being ‘true-seeming’, rather than being actually ‘true’. Nevertheless, for the system to work, a relationship between politician and audience must be established through the politician’s public performance and the political audience’s suspension of disbelief. In other words, the endurance

³⁵ Michael Saward, ‘The Representative Claim’, *Contemporary Political Theory* 5 (2006), 297-318 (pp. 301-02), original emphasis.

³⁶ Michael Saward, *The Representative Claim* (Oxford: Oxford UP, 2010), p. 145, original emphasis.

and proper functioning of representative democracy is ultimately not grounded in anything more firm or reliable than the politician's ability to perform and the political audience's willingness to buy into this performance. This is legitimacy-through-tautology.

In the remainder of this section, I intend to illustrate further that controversies about representative democracy, which arose with the transition to this representative system and persist to this day, stem from just this fuzzy and subjective way in which the legitimacy of a political performer is judged. The point I want to make here is that distrust of politicians should be regarded as the flipside of an increased dependence on trust and make-believe that inheres within the representative system. It may seem opportune simply to conclude that the suspiciousness with which political performers are consequently viewed is antitheatrical, but the goal here is to look beyond the antitheatrical prejudice and to consider anxiety about the true nature of politicians as an inevitable feature of a political system that bridges the gap between representatives and represented through performance.

Historical sources show that both Jacobin and counter-revolutionary commentators expressed an acute and widespread anxiety over the new concept of political representation and explicitly linked this to the idea that it was impossible to definitively determine a politician's credibility.³⁷ Jean-Jacques Rousseau's wholesale rejection of abstract representation provided a model and springboard for objections to the new representative system, since Rousseau saw representation as incompatible with the expression of the *volonté générale*, the will of the people as a whole. Rousseau's *Social Contract* famously argues that it is impossible to bridge the gap between political representatives and those they purport to represent: 'Sovereignty ... cannot be represented; it lies essentially in the general will, and does not admit representation: it is either the same, or other; there is no intermediate possibility'.³⁸ Although scholars disagree

³⁷ Friedland, *Representation and Revolution*, pp. 146-224.

³⁸ Jean-Jacques Rousseau, *The Social Contract and Discourses*, trans. by G.D.H. Cole (London: J.M. Dent and Sons, 1923), p. 83.

over whether Rousseau's objection to representation was in fact as principled as it appears in the above quote, it undoubtedly had far-reaching influence on contemporary political thought. As Friedland shows, in the wake of the French Revolution, elections were perceived as lacking transparency: The revolutionary Maximilien Robespierre, for instance, raised the issue that the represented had insufficient personal acquaintance with their representatives. To guarantee a politics 'free of corruption and distortion', Robespierre therefore advocated for 'a closer geographical bond between representative and represented' as well as 'eternal vigilance and the incessant unveiling of fraudulence and monstrosity'.³⁹

Highlighting the reach and significance of expressions of distrust such as Robespierre's, Tracy Davis argues that the term 'theatricality' was coined by the English philosopher Thomas Carlyle to describe the ability of spectators to denounce the falsity of certain machinations of the state-theatre complex that came into operation during the French Revolution.⁴⁰ Joseph Roach similarly makes the point that a level of distrust in the sincerity of actors is bound to extend to other 'professional illusionists', like '[t]he beggar, the seducer, the prostitute and the unbelieving priest' – and, one might add, the politician operating in a system based on abstract representation.⁴¹ As a counterpoint to this, it has been argued that a link 'between the voice and establishing the truth', which provided the basis for the belief that political audiences would be able to judge the legitimacy of a politician's performance, was established during the French Revolution.⁴² Nevertheless, I would argue that Friedland's, Davis's and Roach's historical research provides clear evidence for the unease brought about by the new reliance on politicians' performances. As it replaced the old organismic concept of representation in which

³⁹ Friedland, *Representation and Revolution*, p. 207-08.

⁴⁰ Davis, Tracy, 'Theatricality and Civil Society', in *Theatricality*, ed. by Tracy Davis and Thomas Postlewait (Cambridge: Cambridge UP, 2003), pp. 127-155 (p. 132-36).

⁴¹ Roach, Joseph, *The Player's Passion: Studies in the Science of Acting* (Ann Arbor: U of Michigan Press, 1993), p. 138.

⁴² Dolar, Mladen, *A Voice and Nothing More* (Cambridge, MA: MIT Press, 2006), p. 109.

legitimacy had appeared self-evident, abstraction thus served to highlight the constructedness, the contingency and, ultimately, the fragility, of the political order.

Such anxiety over the trustworthiness of politicians, their capacity and volition to adequately represent constituencies, persists to the present day. It is clearly in evidence when Rebecca Traister writes of the ‘dichotomy between [Hillary Clinton’s] public and private presentation’, the ‘wall between the two’ that Clinton has apparently built, and the fact that Clinton, in her unknowability, ‘can seem a fictional character’. In that audiences had to suspend their disbelief in her, Clinton during the 2016 campaign was indeed like a fictional character. But this suspension of disbelief was by no means a straightforward matter, partly because questions of trust and distrust are built into representative politics. The potential for distrust was aggravated, as Traister notes, because Clinton was, as well as ‘ungainly on the stump’ (i.e., as a live performer) also ‘uneasy with the press’. As Saward observes, a politician typically tries to make representative claims that will be accepted ‘by shaping ... strategically his persona and policy positions for certain constituencies and audiences’, although ‘[c]ontemporary normative frames stress singular and consistent roles for political actors’, which means that ‘shape-shifting’ politicians are painted as ‘deceitful or manipulative’.⁴³ Stressing a similar insistence on performative consistency, Friedland contends that in the newly established French representative democracy, ‘[e]xactly as in theatrical representation, the political actor succeeds in encouraging the audience to partake in the illusion not by drawing attention to the process of acting, but by acting the role to perfection’.⁴⁴ In other words, while politicians are performing, and to be persuasive have to perform differently for different audiences, there is pressure for them to be seen *not* to be acting and *not* to be moulding themselves to appeal to their listeners. Clinton, however, was ‘ungainly’ and ‘uneasy’ as a

⁴³ Michael Saward, ‘Shape-Shifting Representation’, *American Political Science Review* 108.4 (2014), 723-736, (p. 723, p. 724, p. 735).

⁴⁴ Friedland, *Representation and Revolution*, p. 137.

performer, and this exacerbated the suspicion with which political performers are inevitably viewed. In addition to this, over the course of a long public career in a male-dominated field, Clinton had been pressured into performing many different versions of herself,⁴⁵ a circumstance that undermined her capacity to project performative consistency.

Political scientists increasingly acknowledge that politicians' performances are an important part of politics, thus turning their backs on positions like Schedler's, which seek to conceptualize politics as foreign to and corruptible by performance. For Bernard Manin, for instance, Western democracies have become 'audience democracies', marked by people's tendency to vote for individual politicians rather than broad party platforms and an emphasis of 'the personal nature of the representative relationship'.⁴⁶ Benjamin Moffitt similarly recognizes that 'contemporary politics are intensely mediatised and 'stylised'', and argues that therefore 'the 'aesthetic' and 'performative' features of politics are particularly and (and increasingly) important'.⁴⁷ However, these scholars focus on performance specifically to emphasize the unique status of the heavily mediatized nature of twenty-first century politics. Although Moffitt's argument that performativity is 'particularly' and 'increasingly' important now seems to imply that politics must always have had a performative dimension, the basis and reason for the assertion that political representation is performative remain unexplored.

In contrast to Manin and Moffitt, this section has shown that many of the concerns that plague politics in the twenty-first century – the emphasis of performance and theatricality coupled with the impossibility of ever truly knowing politicians' hearts and motivations in light of political spin – are by no means exclusive to the mediatized age. In fact, it is striking how immediately these concerns arose, and were obsessed about, with the advent of abstract representation in the context of post-revolutionary France. *Pace* Schedler, this section has

⁴⁵ See Shawn J. Parry-Giles, *Hillary Clinton in the News: Gender and Authenticity in American Politics* (Urbana: U of Illinois Press, 2014).

⁴⁶ Manin, *The Principles of Representative Government*, p. 219.

⁴⁷ Moffitt, *The Global Rise of Populism*, p. 39.

argued that performance functions as the linchpin of the system of representative democracy, establishing democratic legitimacy as a dynamic, performative, emotive and aesthetic process that depends on the interaction between politician-performers and constituent-audiences. Concerns around the credibility of politicians' public personae are likewise an inherent feature of the system of representative democracy, not the result of its degradation. Rather than reflexively condemning it as antitheatrical or as the result of the corruption of political culture, distrust of politicians should therefore be read as the flipside of an increased dependence on believable performance that inheres within the representative system.

Performative Legitimacy and the Rhetorical Presidency

In the previous section I argued that political representation in systems of representative democracy should be thought of as fundamentally performative and performance-based. However, apart from alluding to the case of Hillary Clinton, I have not yet explored performative representation in the US presidential context, with examples from which I opened this article. While the context of the French Revolution yields insights into the performativity of politics that become apparent in the transition from one representative system to another, the US presidency allows me to explore different ways in which democratic legitimacy has been performed by contrasting patterns of presidential oratory.

This section addresses performances of the US presidency and engages with Jeffrey Tulis' *The Rhetorical Presidency*, a landmark study which at first glance might appear to contradict my central argument that performance is a core feature of representative democracy. My aim in delving into *The Rhetorical Presidency* is to show that, although the Founding Fathers of the United States tried to curb the impact of performance within partisan politics, their carefully placed constraints on presidential oratory actually allow for the link between

performance and democratic legitimacy to be carved out in greater detail. Rather than necessarily being motivated by the view that performance had no place in politics, I argue that early efforts to reign in presidential oratory should be understood as attempts to circumscribe the immense power performance has due to its inherent link with democratic legitimacy. Finally, I reflect on the conclusion that legitimacy is performative (and therefore malleable) by commenting on the tradition of presidential anti-Congress rhetoric that has been established in the twentieth century, after the norms instituted by the Founding Fathers had loosened considerably.

One of the central claims of *The Rhetorical Presidency* is that '[n]othing could be further from the founders' intentions than for presidential power to depend upon the interplay of orator and crowd'.⁴⁸ Tulis argues that the Founding Fathers of the United States, as well as almost all presidents before the twentieth century, subscribed to an informal but, with very few exceptions, effective doctrine that placed significant constraints upon the kinds of popular performance presidents were able to give. To back up this argument, Tulis notes that *The Federalist Papers*, written by Alexander Hamilton, James Madison and John Jay between 1787 and 1788 to promote the ratification of the United States Constitution, begin and end with the founders' concerns about the susceptibility of the United States to demagogues.⁴⁹ Indeed, the first of the *Papers* asserts that 'of those men who have overturned the liberties of republics, the greatest number have begun their career by paying an obsequious court to the people; commencing demagogues, and ending tyrants'.⁵⁰ This reveals a perceived link between leaders who depend on their own popular appeal and the degradation of the constitutional order. Tulis therefore argues that '[f]or most federalists, 'demagogue' and 'popular leader' were

⁴⁸ Tulis, *The Rhetorical Presidency*, p. 89.

⁴⁹ Ibid, p. 27-28.

⁵⁰ Hamilton et al., *The Federalist Papers*, p. 29.

synonyms', which is why the founders tried to subdue politicians', and particularly presidents', public performances.⁵¹

While this line of thought might seem to controvert my argument for the place of performance at the heart of representative democracy, it is important to note that the founders did not proscribe all kinds of public presidential performance, only appeals they considered too frequent or partisan. *The Federalist No. 49*, for instance, makes the argument that 'the people are the only legitimate fountain of power', but the document nevertheless cautions against frequent popular appeals. The founders argue, 'that as every appeal to the people would carry an implication of some defect in the government, frequent appeals [to the people by political leaders] would, in a great measure, deprive the government of the veneration which time bestows on everything'.⁵² *The Federalist No. 49* indicates that the founders were acutely aware of the extraordinary power popular appeals might have to disturb and potentially upend the political system:

We are to recollect that all the existing constitutions were formed in the midst of a danger which repressed the passions most unfriendly to order and concord; of an enthusiastic confidence of the people in their patriotic leaders, which stifled the ordinary diversity of opinions on great national questions; of a universal ardor for new and opposite forms, produced by a universal resentment and indignation against the ancient government; and whilst no spirit of party connected with the changes to be made, or the abuses to be reformed, could mingle its leaven in the operation. The future situations in which we must expect to be usually placed, do not present any equivalent security against the

⁵¹ Tulis, *The Rhetorical Presidency*, p. 27.

⁵² Hamilton et al., *The Federalist Papers*, p. 310, p. 311.

danger which is apprehended. But the greatest objection of all is, that the decisions which would probably result from such appeals would not answer the purpose of maintaining the constitutional equilibrium of the government.⁵³

In other words, the revolutionary situation in which the United States was founded was an occasion for popular appeal, because its very monumentality served to focus the people's attention on the vital questions. In future, if the stability of the constitutional order is taken as a given, popular appeals would be counterproductive insofar as they produced a level discord and upheaval disproportionate to the smaller policy questions the government would be seeking to address. The goal of insulating the constitutional order, and the separation of powers, from popular upheaval was likewise at the heart of the choice to elect the president through 'an intermediary body of electors' who would be less swayed by the 'heats and ferments' of public debate than the general public.⁵⁴

Importantly, the argument contained in the passage cited above, that too-frequent appeals to the people would have the power to unduly raise 'the passions most unfriendly to order and concord', is qualitatively different from Schedler's, who condemns as altogether antipolitical any non-deliberative forms of communication. The founding fathers, by contrast, sought to circumscribe presidential oratory for purposes of *encouraging* deliberation, but they nevertheless understood that legislative politics would inevitably involve 'nondeliberative appeals'.⁵⁵

The goal in nudging political communication towards a deliberative style was to foster presidential performances that would reinforce, rather than act divisively upon, the constitutional order. Tulis explains that it became the norm for presidents to explicate and

⁵³ Ibid., p. 312.

⁵⁴ Ibid, p. 411.

⁵⁵ Tulis, *The Rhetorical Presidency*, p. 37-38.

reflect on the Constitution in publicly held speeches, while commentary on specific policies was, due to its more partisan nature, made in writing and addressed to Congress, not the general public.⁵⁶ George Washington's first inauguration speech⁵⁷ had addressed not the general public but 'Fellow-Citizens of the Senate and of the House of Representatives' and his second inauguration speech, addressed to 'Fellow Citizens', had been all of 135 words long.⁵⁸ John Adams's inaugural address resembled Washington's first, but it was Thomas Jefferson's first inaugural address that became the initial model for presidential oratory.

Jefferson, addressing 'Friends and Fellow-Citizens', calls for unity after a contested election campaign and reflects at length on the strength and value of the American constitutional order. Indeed Jefferson opens on a strikingly self-deprecating note:

Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens which is here assembled to express my grateful thanks for the favor with which they have been pleased to look toward me, to declare a sincere consciousness that the task is above my talents, and that I approach it with those anxious and awful presentiments which the greatness of the charge and the weakness of my powers so justly inspire. [...] Utterly, indeed, should I despair did not the presence of many whom I here see remind me that in the other high authorities provided by our Constitution I shall find resources of wisdom, of virtue, and of zeal on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation,

⁵⁶ Ibid, p. 47-51.

⁵⁷ George Washington, 'First Inaugural Address', *The Avalon Project at Yale Law School* <http://avalon.law.yale.edu/18th_century/wash1.asp> [accessed 15 January 2018].

⁵⁸ George Washington, 'Second Inaugural Address', *The Avalon Project at Yale Law School* http://avalon.law.yale.edu/18th_century/wash2.asp [accessed 15 January 2018].

and to those associated with you, I look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked amidst the conflicting elements of a troubled world.⁵⁹

What is most notable in the above instance of rhetoric is Jefferson's emphasis of the interdependence of the institutions of the constitutional order, particularly the president's reliance on the legislative. Following the Jeffersonian model, and the founders' beliefs in constitutional unity, each successive president performed his legitimacy not as a partisan trying to curry favour with the people, but as the chief interpreter of constitutional values. The Constitution, the preservation of whose vigour is referred to by Jefferson 'as the sheet anchor of our peace at home and safety abroad', was thus cast as a non-partisan intermediary that provided a focal point for presidential performances of democratic legitimacy until the nature of presidential oratory evolved away from this pattern at the turn of twentieth century.

Although presidential oratory underwent a significant change at the turn of the twentieth century, it must be stressed that this does not mean that legitimacy *became* performative. Rather, following the Jeffersonian model, presidential oratory in the nineteenth century tended to perform the president's legitimacy by emphasizing his position within and his understanding of the Constitution. As will be seen, this does not apply to later presidential performances. In the beginning, however, the Constitution served as a neutral, and uncontested, ground between the orator and his audience, which, precisely due to its presumed universally accepted and revered status, served to shore up the president's legitimacy. To some extent, therefore, the norms governing early US presidential oratory decoupled legitimacy from the orator's personal qualities through the introduction of the Constitution as an intermediary focal

⁵⁹ Thomas Jefferson, 'First Inaugural Address', *The Avalon Project at Yale Law School* <http://avalon.law.yale.edu/19th_century/jefinaul.asp> [accessed 15 January 2018].

point for the performance of legitimacy. Despite the tight constraints imposed upon presidential performances, legitimacy was thus still performative and performed, a configuration that becomes even more apparent when one considers that no radical upheaval was required for twentieth century presidents, beginning with Theodore Roosevelt and Woodrow Wilson, to break away from the established norms governing presidential rhetoric. Indeed, scholars responding to Tulis' work have described the evolution away from the early norms against partisan oratory as more fluid and gradual than *The Rhetorical Presidency* suggests, and even Tulis now admits that the possibility for change was already 'latent in the previous constitutional order'.⁶⁰

For this article's purpose, the precise timing of each move away from the old norms is less important than simply to note that by the twentieth century, and most definitively with the presidency of Woodrow Wilson, a different kind of presidential performance was established as the norm. Wilson's first inaugural address presents a remarkable contrast to Jefferson's. Wilson begins on a partisan note, dwelling on Democratic electoral victories in the House of Representatives, the Senate and Presidency, then goes on to address the people in a manner that can be described as broadly populist:

With riches has come inexcusable waste. [...] We have been proud of our industrial achievements, but we have not hitherto stopped thoughtfully enough to count the human cost, the cost of lives snuffed out, of energies overtaxed and broken, the fearful physical and spiritual cost to the men and women and children upon whom the dead weight and burden of it all has fallen pitilessly the years through. The groans and agony of it all had not yet reached our ears, the solemn, moving undertone of our life, coming up out of the mines and factories, and out

⁶⁰ Jeffrey K. Tulis, 'The Rhetorical Presidency in Retrospect', *Critical Review* 19.2-3 (2007), 481-500 (p. 487).

of every home where the struggle had its intimate and familiar seat. With the great Government went many deep secret things which we too long delayed to look into and scrutinize with candid, fearless eyes. The great Government we loved has too often been made use of for private and selfish purposes, and those who used it had forgotten the people.⁶¹

Gone is Jefferson's self-deprecation and focus on the unity and interdependence of political institutions; Wilson substitutes these with an insistence on whom and how the government has failed and, most strikingly, by making reference to the corruption with which the 'great Government' has 'for private and selfish purposes' been infested. Rather than eschewing matters of policy, Wilson boldly declares, 'We have itemized with some degree of particularity the things that ought to be altered', and proceeds to list a number concrete economic issues, among these 'a tariff which [...] makes the Government a facile instrument in the hand of private interests'. In contradistinction to the careful bracketing of the people's passions in the Federalist Papers, Wilson refers directly to a nation 'deeply stirred, stirred by a solemn passion, stirred by the knowledge of wrong, of ideals lost, of government too often debauched and made an instrument of evil'. The word 'Constitution' does not appear in Wilson's inauguration speech; instead, he ends by stressing explicitly the degree to which he sees his presidential authority as deriving directly from the people: 'I summon all honest men, all patriotic, all forward-looking men, to my side. God helping me, I will not fail them, if they will but counsel and sustain me!'

Wilson's framing of the president's mandate fundamentally changed the nature of presidential oratory, which became more frequent, partisan and personalized. If the president

⁶¹ Woodrow Wilson, 'First Inaugural Address', *The Avalon Project at Yale Law School*, <http://avalon.law.yale.edu/20th_century/wilson1.asp> [accessed 15 January 2018].

had previously performed his legitimacy by way of being seen as the chief explicator of the Constitution, he now performed his legitimacy by making reference to his ability to ‘tap[] into the public’s feelings’ and ‘translate the people’s felt desires into public policy’.⁶² While it may be tempting to ascribe this change in rhetoric to the evolution of media technology, Wilson did not give his first live radio address until 1923, after he had left office. Wilson did, however, expand on his predecessor Theodore Roosevelt’s conception of the ‘bully pulpit’ and had long envisioned his presidency as providing forceful and persuasive oratorical leadership.⁶³ He also showed an awareness of the increasing mediation of mass communication, drawing the conclusion that democratic leaders now had to be ‘inordinately skilled rhetors’ to cut through to the public.⁶⁴ The impact of the Wilsonian oratorical innovations on the performance of democratic legitimacy was decisive: The perception of legitimacy was no longer tied primarily to a supra-political set of ideals (as enshrined in the Constitution) but instead was understood to derive directly from the president’s personal qualities. The president thus had to possess some combination of personal style, charisma, and empathy to be accepted by the public as a credible representative of the nation as a whole. Where the perception of legitimacy had previously depended on performances that held the president above the fray of partisan politics, it now relied on the president’s ability to tackle such issues persuasively.

Tulis outlines a number of consequences brought about by this change in presidential oratory, such as the erasure of the difference between campaigning and governing, the establishment of speechwriting as a profession, and the increased autonomy of the press.⁶⁵ For present purposes, however, one of the most important consequences is one at which Tulis only hints: the rise of presidential anti-Congress rhetoric.⁶⁶ Both Erwin Jaffe and Michael Foley

⁶² Tulis, *The Rhetorical Presidency*, p. 135, p. 128.

⁶³ Kraig, Robert Alexander, *Woodrow Wilson and the Lost World of the Oratorical Statesman* (College Station, TX: Texas A&M UP, 2004), pp. 103-8.

⁶⁴ *Ibid.*, p. 75.

⁶⁵ *Ibid.*, p. 181-188.

⁶⁶ *Ibid.*, p. 191.

have remarked on the striking persistence and effectiveness of presidential anti-Congress (or anti-Washington) performances, arguing that it is the proposed alignment of the president with the people and against the ruling political class that makes this rhetorical strategy successful.⁶⁷ Woodrow Wilson's inaugural address set a striking precedent in showing that the head of government could posit himself as a purifier of the 'great Government'. To observers of twenty-first century politics, the persistence of this kind of presidential positioning will be readily apparent: At the launch of his 2008 presidential campaign, for instance, Barack Obama stated, 'I know I haven't spent a lot of time learning the ways of Washington. But I've been there long enough to know that the ways of Washington must change'.⁶⁸ Obama had been explicitly advised that, having not yet completed his first term as a senator, he could still capitalize on his relative outsider-status in Washington.⁶⁹ And of course Donald Trump followed a similar, if more brusque strategy, as he repeatedly vowed to 'drain the swamp' of Washington of its perceived corruption during his 2016 presidential campaign.⁷⁰

In stark contrast Jefferson's first inaugural address, this kind of anti-government or anti-Washington oratory by US presidents and presidential candidates both emphasizes and stimulates the fragmentation of the constitutional order rather than the unity and interdependence of the nation's political institutions. In terms of this article's focus on the link between performance and legitimacy, anti-government performances in the Wilsonian vein are significant because they clearly illustrate the shift from presidential performances of legitimacy that tended to bolster the institutional structure to performances that seem to undermine it. The break with the Jeffersonian pattern of presidential rhetoric, which stressed the president's

⁶⁷ Erwin Jaffe, 'Our Own Invisible Hand: Antipolitics as an American Given', in *The End of Politics? Explorations into Modern Antipolitics*, ed. by Andreas Schedler (Basingstoke: Macmillan, 1997), pp. 57-90 (p. 77); Michael Foley, 'President Bush, the War on Terror, and the Populist Tradition', *International Politics* 44 (2007), 666-691 (p. 671).

⁶⁸ Qtd. in John Heilemann and Mark Halperin, *Race of a Lifetime* (London: Penguin 2010), 74.

⁶⁹ Heilemann and Halperin, *Race of a Lifetime*, p. 36, p. 64, p. 70.

⁷⁰ See, e.g., Donald J. Trump for President, *Donald Trump's Contract with the American Voter*, DonaldJTrump.com <https://assets.donaldjtrump.com/_landings/contract/O-TRU-102316-Contractv02.pdf> [accessed 15 January 2018].

interdependence with other institutions, and all of these institutions' respect for the Constitution, left presidential performances in a vacuum. Without the constitutional order as a focal point, the president has no intermediary bulwark to guarantee public support. In this circumstance, an obvious strategy, and one of which presidents have made widespread use, is to rail against the ineffectiveness or corruption of other institutions and to make the president stand out as a contrast to them. Following Judith Butler's hypothesis that performative utterances 'can have the effect of challenging existing forms of legitimacy',⁷¹ it becomes possible to conclude that, in the case of anti-government rhetoric, the president's bully pulpit becomes the vehicle by which the public perception of legitimacy is rearranged for the president's own benefit. By speaking against Congress, twentieth and twenty-first century presidents tap into and confirm any extant anti-establishment sentiment while simultaneously consolidating their own power, which now exists in contrast to, and no longer by virtue of, the other elements in the constitutional order.

Conclusion

This article has argued that the proposition that the system of representative democracy functions *through* politicians' performances should be taken seriously. In taking a historico-theoretical approach that considered questions of performance and politics that arose during particular historical periods alongside a theoretical framework that advocates for the performance-based and performative nature of representative politics, I have endeavoured to unearth the performative core of representative democracy. The context of the French Revolution illuminates the performative nature of democratic legitimacy particularly well, because it shows the contrast between political representation in the system of representative democracy and an older, more literal concept of representation. The uncomfortable conclusion

⁷¹ Butler, *Excitable Speech*, p. 147.

is that, despite the long history of antitheatrical thought that dates back to antiquity, performance and theatricality are not corrupting infectants, but features of a system built on a foundation of trust and make-believe that has to strike a balance between deliberative, rational and theatrical and expressive forces. This article's central contribution is its detailed theorization of how democratic legitimacy in representative democracies is both performance-based and performative, that is, performed *through* politicians' public oratory and constituted as the interplay between an orator's performance and the audience's suspension of disbelief. In offering this theorization, the article has gone beyond previous treatments of performance in the political realm in theatre and performance studies, as these have tended to highlight the thin line between trust in and distrust of politicians' performances but neglected to investigate the key role such performances play in representative democracies.

The third section applied the theorization developed in the second to the US presidential context, highlighting different ways in which the balance between deliberative and theatrical forces can be struck and illuminated and stressing, in particular, the extent to which presidential performances can, under certain circumstances, enliven and polarize public political discourse. While the American Founding Fathers tried to insulate the US constitutional order from political upheavals by proscribing partisan forms of presidential oratory, there was nothing inherent in the system that could have prevented later presidents from upending the norms for presidential performance, in a process that tied legitimacy more directly to the president's publicly performed persona. As a side effect of the shift away from speeches that primarily explicated the Constitution towards speeches that stress the president's independence of the institutional structure, anti-establishmentarian presidential performances, particularly those using anti-government tropes, became widespread. Using such broadly populist rhetoric, presidents and presidential candidates emphasize their outsider status vis-à-vis the other,

maligned institutions, thus seeking to undermine the legitimacy of those institutions and to confer legitimacy upon themselves.

In this context, it is noteworthy, however, that the US Constitution has remained an object of reverence, even if presidents no longer derive their legitimacy mainly from being perceived as its chief interpreters. The persistent reverence for the Constitution recently became apparent when news outlets suggested that Donald Trump had committed the outrage of calling the Constitution ‘archaic’ and ‘a really bad thing for the country’, an argument that was quickly countered by others, who clarified that Trump had been talking about Senate rules, not the Constitution.⁷² While presidential performances today tend to try to shift legitimacy away from Congress and instead confer it upon the president personally, presidents thus tend to stop short of openly claiming to want to do away with the structures that enable the American representative democracy to exist in the first place. As such, legitimacy endures as a performative negotiation between politician-performers, voter-audiences, and the democratic structures within which politicians must constitute themselves as credible representatives of the people. Although John Dilulio, similarly to Manin and Moffitt, argues insightfully that the media landscape of the twenty-first century renders the US presidency ‘hyper-rhetorical’, in a way that encourages highly personalized performances of presidential legitimacy,⁷³ it is important not to lose sight of the fact that matters of trust, distrust and the suspension disbelief make political representation possible in the first place and are foundational to representative democracy.

⁷² See Eugene Volohk, ‘Did President Trump Label the Constitution or House and Senate Rules as ‘Archaic’?’ *The Washington Post* (1 May 2017) <<https://www.washingtonpost.com/news/volokh-conspiracy/wp/2017/05/01/did-president-trump-label-the-constitution-or-house-and-senate-rules-as-archaic/>> [accessed 15 January 2018].

⁷³ John J. Dilulio, Jr., ‘The Hyper-Rhetorical Presidency’, *Critical Review* 19.2-3 (2007), 315-324.

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